

RESOLUTION NO. 2002-165

RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF ROCKLIN CERTIFYING A FINAL
ENVIRONMENTAL IMPACT REPORT, MAKING FINDINGS
OF OVERRIDING CONSIDERATIONS, APPROVING A
MITIGATION MONITORING PROGRAM AND DIRECTING
THE ENVIRONMENTAL COORDINATOR TO FILE
A NOTICE OF DETERMINATION
(Granite Lakes Estates/EIR-2000-01)

The City Council of the City of Rocklin does resolve as follows:

Section 1. The City Council of the City of Rocklin finds as follows:

A. An Environmental Impact Report (the "EIR") was prepared for and by the City of Rocklin ("City"), for the Granite Lakes Estates project, which as proposed consists of adoption of the Granite Lakes Estates General Development Plan (PDG-2000-08), approval of the Granite Lakes Estates Tentative Subdivision Map (SD-2000-02) and the Granite Lakes Estates Oak Tree Preservation Plan Permit (TRE-2000-33), approval of the Granite Lakes Estates Grading Design Guidelines (DR-2002-02), and approval of the Granite Lakes Estates Development Agreement (DA-2002-02), (the "Project") pursuant to the California Environmental Quality Act (Public Resources Code §21000 et seq. ("CEQA"); the Guidelines for Implementation of the California Environmental Quality Act (2 Cal. Code of Regs. §15000 et seq.) ("Guidelines"); and the local procedures adopted by the City pursuant thereto.

B. The notice of completion for the draft EIR was forwarded to the Office of Planning and Research and the Secretary of the Resources Agency pursuant to Section 15085 of the Guidelines.

C. The City distributed copies of the draft EIR to those public agencies which have jurisdiction by law with respect to the project and to other interested persons and agencies, and sought the comments of such persons and agencies.

D. Notice inviting comments on the draft EIR was given in compliance with Guidelines section 15087.

E. The Rocklin Planning Commission and the Rocklin City Council conducted a joint public hearing on the draft EIR on October 30, 2001 to further solicit public comments.

F. The draft EIR was thereafter revised and/or supplemented to respond to the comments received, as provided in the Guidelines section 15132, and as so revised and supplemented, the draft EIR became the final EIR for the Project.

G. On March 19, 2002 the Rocklin Planning Commission held a noticed public hearing on the final EIR in conjunction with its hearing on the Project and recommended that the final EIR be certified as complete.

H. On May 28, 2002, the City Council conducted a noticed public hearing on the final EIR in conjunction with its hearing on the Project. The record of this hearing includes only the following as submitted to and considered by the City Council:

- (1) The application packet for the Project;
- (2) The final EIR, including the draft EIR and written comments received during the public comment period and responses thereto;
- (3) All staff reports, memoranda, maps, letters, minutes of meetings, and other documents prepared by City staff relating to the Project and presented to the City Council at its hearing on the final EIR;
- (4) All testimony, documents, and other evidence presented by or on behalf of the applicant relating to the Project, including testimony given before the City Planning Commission and City Council, written reports, and exhibits;
- (5) The proceedings before the City Council relating to the Project and EIR, including testimony and documentary evidence introduced at the public hearings, the transcript of all hearings of the Planning Commission and City Council related to this matter, and the official minutes of such meetings;
- (6) City Planning Commission Resolutions PC-2002-25; PC-2002-26; PC-2002-28; and PC-2002-27, adopted by the Planning Commission on March 19, 2002, this City Council Resolution No. 2002-165, and the actions of the City Council approving the Project.

(7) The mitigation monitoring program for the Project.

I. The EIR reflects the independent judgment of the City Council.

Section 2. Certification of the EIR. Pursuant to section 15080 of the Guidelines, the City Council hereby certifies that the final EIR for the Project has been completed in compliance with CEQA, the Guidelines, and the local procedures adopted by the City Council pursuant thereto, and that the City Planning Commission and the City Council have reviewed and considered the information contained in the final EIR prior to making a determination on the Project.

Section 3. Mitigation of Significant or Potentially Significant Impacts. The significant and potentially significant environmental impacts, including cumulative impacts, of the project which are being mitigated to a less than significant level are set out in Section IX. (A) of Exhibit A attached hereto and by this reference incorporated herein. These impacts are identified in the final EIR or have otherwise been identified by the City Council. Pursuant to section 21081(a) of CEQA and section 15091 of the Guidelines, as to each such impact, the City Council, based on the evidence in the record before it, including the recommendations of the Planning Commission, finds that changes or alterations incorporated into the Project by means of conditions or otherwise, mitigate, avoid or substantially lessen to a level of insignificance these significant or potentially significant environmental impacts of the Project. The basis for the finding for each identified impact is set forth in Section IX. (A) of Exhibit A.

Section 4. Mitigation Outside the City's Responsibility and/or Jurisdiction. Certain other significant and potentially significant environmental impacts, including cumulative impacts, of the Project can be mitigated by the implementation of specific mitigation measures by other jurisdictions and/or public agencies in the South Placer area. These impacts and mitigation measures are set out in Section IX. (B) of Exhibit A, attached hereto and by this reference incorporated herein. Pursuant to section 21081(b) of CEQA and section 15091(a)(2) of the Guidelines, the City Council specifically finds that full implementation of the recommended mitigation measures falls within the responsibility and/or jurisdiction of other public agencies. The City Council will request, but cannot compel, each of those public agencies to implement the identified mitigation measures described in Section IX. (B) of Exhibit A. Notwithstanding the disclosure of these impacts and their partial mitigation, the City Council elects to approve the Project due to the overriding considerations set forth below in Section XI. of Exhibit A, the statement of overriding considerations.

Section 5. Significant and Unavoidable Impacts. Certain other significant and potentially significant environmental impacts, including cumulative impacts, of the project are unavoidable, and cannot be mitigated in a manner that would substantially lessen the significant impact. These impacts are set out in Section IX. (C) of Exhibit A, attached hereto and by this reference incorporated herein. Notwithstanding disclosure of these impacts, the City Council elects to approve the Project due to overriding considerations as set forth in Section XI. of Exhibit A, the statement of overriding considerations.

Section 6. Project Alternatives. The City Council has considered the Project alternatives discussed in the final EIR and presented during the comment period and public hearing process. Some of these alternatives have the potential to avoid or reduce certain significant or potentially significant environmental impacts, as set forth in Section X. of Exhibit A, attached hereto and by this reference incorporated herein. The City Council specifically finds these alternatives to be infeasible. Each alternative and the facts supporting the finding of infeasibility of each alternative are set forth in Section X. of Exhibit A.

Section 7. Statement of Overriding Considerations. The Rocklin City Council, pursuant to Guidelines section 15092, finds that in approving the Project it has eliminated or substantially lessened all significant and potentially significant effects of the Project on the environment where feasible, as shown in Section IX. of this Resolution. The Rocklin City Council further finds that the remaining unavoidable significant and potentially significant impacts are acceptable, and makes this statement of overriding considerations in accordance with section 15093 of the Guidelines. For the reasons set forth in Section XI. of Exhibit A, attached hereto and by this reference incorporated herein, the City Council finds that the benefits of the Project outweigh the unavoidable adverse impacts which may result from the Project, and the overriding considerations set forth in Section XI. of Exhibit A support approval of the Project.

Section 8. The Mitigation Monitoring Program as set forth in Exhibit B prepared in connection with the project is approved.

Section 9. The documents and other materials that constitute the record of proceedings upon which the City Council has based its decision are located in the office of the Rocklin Community Development Director, 3970 Rocklin Road, Rocklin, California 95677. The custodian of these documents and other materials is the Rocklin Community Development Director.

Section 10. Upon approval of the project by the City Council, the environmental coordinator shall file a notice of determination with the County Clerk of Placer County and, if the Project requires a discretionary approval from any state agency, with the State Office of Planning and Research, pursuant to the provisions of section 21152 of the Public Resources Code and the Guidelines.

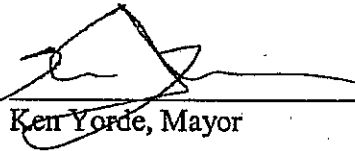
PASSED AND ADOPTED this 28th day May, 2002, by the following roll call vote:

AYES: Councilmembers: Hill, Lund, Magnuson, Storey, Yorde

NOES: Councilmembers: None


ABSENT: Councilmembers: None

ABSTAIN: Councilmembers: None



Ken Yorde, Mayor

ATTEST:



City Clerk

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